

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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JANICE STEVENSON,

Plaintiff,

v.

NEIGHBORHOOD HOUSE CHARTER
SCHOOL,

Defendant.

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U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CIVIL ACTION NO. 05-CV-11584-DPW

**PLAINTIFF'S MOTION FOR ORDER TO SHOW CAUSE
WHY DEFENDANT SHOULD NOT BE HELD IN CONTEMPT**

Plaintiff Janice Stevenson ("Plaintiff" or "Stevenson") hereby moves the Court to issue an Order to Show Cause why Defendant Neighborhood House Charter School ("Defendant," "NHCS" or the "School") should not be held in contempt of court for continuing to submit motions and requesting sanctions when facts compel the legal conclusion that the Neighborhood House Charter School ("Employer", "School" or "Defendant") is the Employer and that the Plaintiff is their employee for purposes of the FLSA.

It has become evident that the School cannot substantiate its allegation that Plaintiff is an independent contractor, from August 2004 to June 2005 or anytime [Exhibit A]; or an administrative employee at Defendant's business [Exhibit B].

Should Defendant fail to show such cause, Plaintiff further requests that the Court grant Plaintiff summary judgment in this matter. As grounds for this motion, Plaintiff states as follows:

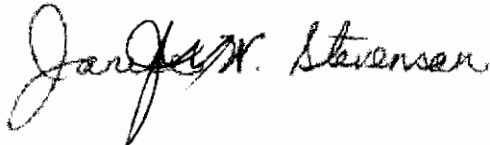
1. Defendant's discovery requests are a ruse. Defendant can not substantiate its own allegation that Plaintiff is an independent contractor or an administrative

employee. Defendant's own employment policies clearly show that personnel in academic positions are administrative employees. Plaintiff did not work in an academic position. **[Exhibit B]**

2. The Defendant has refused requests for employment documents, payroll records or any documents to substantiate independent contractor payment to Plaintiff.
3. The Defendant has sought discovery of Plaintiff's financial records from as far back as 2000; however, the Defendant cannot show to this Court whether Plaintiff was, as a matter of economic reality, dependent on the Defendant's business she served, or, conversely, whether she was in business for herself from August 2004 to June 2005.

WHEREFORE, Plaintiff, Janice Stevenson, requests that this Court order to show cause why Defendant Neighborhood House Charter School should not be held in contempt of Court. Should Defendant fail to show such cause, Plaintiff requests that the Court grant summary judgment in this matter against Defendant and Order Defendant to pay Plaintiff's costs and attorneys' fees in this matter. A proposed Order is attached as **Exhibit C.**

Date: December 20, 2006
Respectfully submitted by,

A handwritten signature in black ink that reads "Janice W. Stevenson". The signature is written in a cursive, flowing style.

Janice Wilson Stevenson
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617-721-2638 - ph
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CERTIFICATE OF SERVICE

I hereby certify that this document was served on NEIGHBORHOOD HOUSE
CHARTER SCHOOL to:

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Janice W. Stevenson